

Council Members Present

Larry Claunch Kay Sanders Lea Tinker

The meeting was called to order at 7:34 p.m. with the Pledge of Allegiance.

MINUTES:

Chairman Claunch entertained a motion to accept the minutes as read. The motion was seconded and all were in favor.

STAFF REPORTS:

Field Representative – Frances Vasquez

Ms. Vasquez reported that the Supervisor is very concerned about the lack of medical facilities and services in the community. She is planning to mail a survey regarding the Al Shifa Clinic. Any information the community can provide will be greatly appreciated.

Supervisor Gonzales is seeking diversity on the MAC board. If you or anyone you know are interested please contact the 5th District office at (909) 387-4565.

Deputy Kath Gray from the Sheriff's Department has returned and will provide current crime statistics for the Muscoy community.

Muscoy Fire Station #75 is open and operational. The station is located at 2852 Macy St. John Flesher is the Captain assigned to the station and the grand opening has been postponed for 4 to 6 weeks.

The next Muscoy Cleanup will be held Saturday, May 06, 2006. More information will be provided as our office receives it.

The Department of Public Works reported the following activities in the Muscoy area. From January 17th thru February 17th PW has planned shoulder grading along Cajon Blvd. from California St. to June St. They will also continue routine maintenance activities such as pothole patching, deceased animal removal and sign maintenance throughout the area. Contracts Division anticipates the Muscoy cross gutters construction should commence by the end of January or the beginning of February.

The Community Emergency Response Team (CERT) requires a partnership between community members and the local public safety agency. The public safety agency representative will oversee the coordination and creation of a Citizen Corps Sub-council. A Citizens Corps cannot be formed without this partnership. The Citizen Corps Sub-council could be formed from an existing disaster group in the community or could be a newly formed group of local community members. In either case, Larry Claunch is the contact person within the MAC who is helping to organize and create a Sub-council. The Sub-council should have five to seven members reflective of the diversity of the community. Interested parties should contact MAC Chairman Larry Claunch.

The Supervisor's office has been working diligently to resolve several issues brought to our attention by citizens of Muscoy. The result has been a number of investigations and other actions pertaining to Canaan House, local liquor sales, animal control, raw sewage spills, etc.

Events

Thursday, January 19 – 10:00 a.m. to 12 noon – Feldheym Central Library – “Building a Better Community” presentation by Atlanta's East Lake Partners; workshop from 1:00 to 3:00p.m. sponsored by Mynesha's Circle and County of San Bernardino Gangs & Drugs Task Force

Thursday, January 19 – 3:00 p.m. Free information meeting on grants from the California Cultural and Historical Endowment at Fontana City Hall, 8353 Sierra Ave., Fontana, CA. Info, contact Assemblyman Joe Baca, Jr. 909-388-1413.

Thursday, January 19 – 6:00 to 8:00 p.m. at Behavioral Health Resource Center, 850 E. Foothill Blvd., Rialto. Public hearings on proposed mental health services. The County of San Bernardino invites the public to participate in the open hearing to review and comment on the County's draft plan. More info is available at www.sbcounty.gov

Friday, February 10 – 8:00 a.m. to 12 p.m. – Free Dental Work for uninsured children, SAC Health System, 1455 E. Third St., San Bernardino. Information, call Tri-County Dental Society @ 1-800-287-8237.

February 6 – April 3 – Mondays 6:30 a.m. to 9:30 p.m. Citizens Academy – 2006. \$46.50 tuition payable to SBVC. Sponsored by S.B. Co. Sheriff's Dept. & San Bernardino Valley College.

NEW BUSINESS:

A. County Fire Department – Capt. John Flesher

County Fire Station #75 in Muscoy is now open and operational. For emergency services dial 911 and dispatchers will respond. For those interested in seeing the new station feel free to drop by during business hours. The address is 2852 Macy St.

The grand opening ceremony has been postponed 4-6 weeks to allow for final construction in and around the Fire Station.

Residents in Muscoy are allowed to burn tumbleweeds between 8 a.m. and 10 a.m. with a permit. Permits can be obtained at the Muscoy Fire Station. If you see someone burning items without a permit or outside of the allotted hours please contact the Fire Department.

Residents in Muscoy are allowed to have Bar-B-Q pits on their property. If you have questions or concerns about the safety of a neighbor's Bar-B-Q you may call the Fire Dept.

CERT Training will be facilitated through the Office of Emergency Services in conjunction with the Fire Dept. In the event of an emergency that requires the complete evacuation of an area then all residents will be required to evacuate, including CERT volunteers.

B. Sheriff's Department – Deputy Kathy Gray

Muscoy Crime Statistics for the month of December 2005:

- 28 arrests, primarily for warrant violations, narcotics and a few assaults
- 12 stolen vehicles
- 16 recovered stolen vehicles
- 7 crimes against persons
- 14 missing persons/juvenile runaways

Statistics for the month of January 2006 thru the 17th include 20 total arrests.

Deputy Gray reiterated that illegal camping is a concern for the Sheriff's Dept. and Code Enforcement. She urged residents to contact the Sheriff's and Code Enforcement if they see people illegally camping.

If residents see unsupervised young children in the streets they can call the Sheriff's Dept. The Sheriff's Dept. will respond and contact Child Protective Services if necessary.

C. County Planning Department – Jim Squire

Currently the state is responsible for issuing licenses for the sale of beer, wine and liquor. The County does not have jurisdiction over the issuing or the revoking of state Alcoholic Beverage Control (ABC) licenses.

In 1996 the State of California initiated a policy to limit the number of liquor licenses per census track. According to ABC, the unincorporated area of Muscoy is limited to 10 licenses; however, there are currently 17 active liquor licenses in the community of Muscoy. Mr. Squire speculated that this is most likely due to the licenses being issued prior to the 1996 policy change.

When reviewing new liquor license applications the State often contacts the County for a recommendation to accept or deny the application. If an applicant is requesting a transfer of license or a change in the status of a license, such as upgrading from a beer and wine license to a beer, wine and spirits license, then the state does not notify the County. The state is required by law to notify residents within 500 feet of the property when any change to a license is made.

This issues was brought to the County's attention by residents who received notices regarding Eddie's Market. The owners of Eddie's Market applied for a change in license from a beer and wine license to a beer, wine and spirits license. The application was accepted by the state notices were sent to property owners within 500 feet.

If residents have questions about the ABC licensing process they can contact the State ABC Riverside, CA office at (951) 782-4400.

Mr. Squire answered questions from the floor.

What types of permits does the County require for group homes?

If a group home has more than 6 residents then it must apply for a conditional use permit from the County. If there are 6 or fewer residents then the County does not require a permit.

Can a business owner arbitrarily change the use of his property from one type of business to another?

A property owner must apply for a change of use with the Planning Dept. if they wish to change the nature of the business on the property. This is because planning requirements vary depending upon the type of business; for example, the parking requirements for a restaurant are different than those of a book store.

Can residents build multiple homes on their parcel if it is only zoned for one home?

The number of homes on a parcel is limited by the zoning regulations. For example, an RS1 zoned parcel can have one home per acre. If the total parcel is twice the minimum lot size it may have a second home on the parcel. Variances allow for minor exemptions to properties but the County does not issue use variances exempting property owners from zoning regulations.

D. County Counsel – Deputy County Counsel Paymon Bidari

The County of San Bernardino filed a complaint against the Canaan House group home in Muscoy. The complaint stipulates that the Canaan House had more than six parolees listing the home as their residence. Without a conditional use permit Canaan House is in violation of state law. A court date has been issued for February 8, 2006 at the San Bernardino County Courthouse.

Mr. Bidari stated that he typically contacts the property owners prior to filing an injunction. Canaan House, on the other hand, has a history of complaints and violations reported by Code Enforcement regarding the number of parolees. With this being the case Mr. Bidari felt confident in filing the complaint without meeting with the property owner.

The County is attempting to work with the owner of the property to bring the home into compliance. Mr. Bidari stated that County Counsel prefers to settle the issue prior to litigation but if no agreement is met then they are prepared to go forward with the injunction.

*The owner of Canaan House requested to make a statement.

She stated that she lives very close to the Canaan House and monitors the home regularly. She also stated that since she opened the home in 2000 there has never been an incident reported to the Sheriff's Dept. involving residents at Canaan House.

E. Jessica's Law – Jeff Gibson

Mr. Gibson is the initial author and founder of Jessica's Law. Jessica's Law is named in memory Jessica Lundsford, a young girl who was stalked and brutally murdered by a paroled sex offender.

Mr. Gibson is working with local officials to increase support of Jessica's Law and collect enough signatures to have the initiative placed on the November 2006 statewide election ballot.

Key attributes of Jessica's Law:

- **Mandatory Minimum Sentences for Child Molesters.** This would require a minimum sentence of 15 years for anyone convicted of raping a child under the age of 14.
- **Elimination of "Good-Time Credits."** This will eliminate the use of "good-time" credits for violent sex offenders, ensuring they serve the full 15-25 years before being considered for parole.
- **GPS Tracking devices placed on registered sex offenders.** Offenders would be required to pay for their own GPS equipment, if they are able to.
- **Predator-Free Zone.** Registered sex offenders would be prohibited from living within 2000 ft. of a school or park for the duration of their registration. It will allow local officials to include other sites they deem appropriate, such as water parks or children's museums.
- **Sexually Violent Predators.** Allows for offenders to be evaluated as sexually violent predators after their first offense. Under current state law an offender must commit two offenses before being deemed a sexually violent predator.
- **Child Pornography.** Possession of child pornography would be prosecuted as a misdemeanor or a felony depending on the severity of the crime. If the offender has prior sex offense conviction possession of child pornography would be an automatic felony offense.
- **Internet Luring.** The law would prohibit any contact or communication with a minor for the purpose of engaging in sexual activity. It would allow law enforcement to act as decoys in order to engage and capture internet predators.
- **"Date Rape" Drug Use.** Imposes an additional five-year prison term for persons convicted of using a specified controlled substance, such as the date rape drug.
- **Increased Parole Terms and Fines.** This would allow for parole terms up to 10 years for the most heinous sex offenses.

When releasing paroled sex offenders the state attempts to place parolees with their families. In instances where parolees are able to retain their home they are released back to that residence.

Mr. Gibson noted that many local and statewide representatives and organizations have endorsed Jessica's law, including State Senator George Runner, Assemblywoman Sharon Runner, the California District Attorneys Association, San Bernardino County Board of Supervisors Chairman Bill Postmus, Supervisor Gary Ovitt and Supervisor Josie Gonzales.

Mr. Gibson reported that as of date they have collected approximately 2/3 of the signatures needed to qualify Jessica's Law for the November ballot. They have 6 weeks to collect the remaining signatures.

F. Sheriff's Department, Crimes Against Children Division – Det. Roberto Lomeli

Det. Lomeli is responsible for handling the administrative duties for the 290 sex registrants in San Bernardino County.

In an effort to improve and prepare law enforcement agencies to address issues of crimes against children the Sheriff's Dept. will be participating in a training program on January 19th. Penal Code 290 is the longest and most extensive code in the Penal

codebook so it is important that law enforcement officers are well versed in the details of the code.

The Sheriff's Dept. is coordinating its efforts with other law enforcement agencies to monitor registrants. This will ensure that registrants will have some supervision if the work or travel outside of San Bernardino County.

Det. Lomeli responded to questions from the floor?

How much money is allocated to each parolee that is released?

Parolees do not receive direct funding from the state outside of standard social service programs. Det. Lomeli will research if and how much money is allocated to group homes who house recent parolees.

Do you support Jessica's Law?

Det. Lomeli stated that he is a strong proponent of Jessica's Law. It will enforce stricter penalties for sex offenses including the possession of child pornography.

Is Canaan house the only group home in Muscoy?

Det. Lomeli stated that he believes there are other homes but they are in compliance with state law.

MAC Secretary – Dan Flores

Mr. Flores announced that informational pamphlets are available regarding the Single Family Home Repair Loan program and the Senior Home Repair Grant. Both programs are offered through the County Community Housing and Development (CDH) Department. Anyone interested in learning more about the programs are encouraged to contact CDH at (909) 388-0800 or the Supervisor's office at (909) 387-4565.

ACTION ITEMS:

None

MEMBER REPORTS:

Chairman Claunch

Chairman Claunch reported that he is attempting to reach someone at the City of San Bernardino regarding the drainage issue in north Muscoy/Cimarron Ranch.

Councilmember Smith

Not present

Councilmember Sanders

No Report

Councilmember Tinker

No Report

Public Comments

Linda Thacker announced that the Grange has reopened. She commented on Supervisor Gonzales' end of the year press release. She inquired about the funds allocated to the community of Muscoy and what has/will be done with the money. She asked why the MAC did not announce the most recent allocation of \$1 million towards a community center in Muscoy.

The meeting was adjourned at 10:45 p.m. until the next Muscoy MAC meeting scheduled for February 21, 2006 at 7:30 p.m.

Submitted by: Dan Flores – Muscoy MAC Secretary (909) 387-4565